

SUSAN K. HANKINS

IBLA 75-149

Decided December 31, 1974

Appeal from California State Office, Bureau of Land Management, rejecting oil and gas lease offer CA 2194.

Affirmed.

1. Oil and Gas Leases: Applications: Description -- Oil and Gas Leases:
Description of Land

An oil and gas lease offer for lands surveyed under the public land rectangular system must describe the land by legal subdivision, section, township and range in accordance with 43 CFR 3101.1-4(a), and an offer which describes such lands only as to a particular township will be rejected.

APPEARANCES: Susan K. Hankins, pro se.

OPINION BY ADMINISTRATIVE JUDGE GOSS

Susan K. Hankins appeals from a decision of the California State Office, Bureau of Land Management, dated August 9, 1974, rejecting oil and gas lease offer CA 2194.

The California State Office, Bureau of Land Management, rejected appellant's noncompetitive oil and gas lease offer because the 160 acres applied for were not properly described by legal subdivision or by section in accordance with 43 CFR 3101.1-4(a). The lands have been surveyed under the public land rectangular system. The lands have not been identified other than as being in a particular township.

[1] Section 3101.1-4(a) requires that an oil and gas lease offer for lands surveyed under the public land rectangular system must describe the land by legal subdivision, section, township and range. The offer is a nullity for indefiniteness. "An application

to enter, of necessity, is addressed to a specific tract * * *." Annie Davies, 34 L.D. 539, 540 (1906). A document lacking a specific description cannot be regarded as a viable application.

Appellant attempted to correct the application by filing an appeal containing amended descriptions. The amended descriptions, however, again fail to designate the section or sections embracing the parcels requested.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Joseph W. Goss
Administrative Judge

We concur:

Frederick Fishman
Administrative Judge

Anne Poindexter Lewis
Administrative Judge

